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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

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IN RE APPLICATION OF: :
YUMI MATSUZAKI ET AL : GROUP ART UNIT: 1636
SERIAL NO: 09/636,458 :
FILED: AUGUST 11, 2000 : EXAMINER:GUZO, D.
FOR: PLASMID AUTONOMOUSLY :
REPLICABLE IN CORYNEFORM
BACTERIA

RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Restriction Requirement dated December 3, 2002, Applicants respectfully submit herewith an Amendment. Further, Applicants elect, with traverse, Claim 4, drawn to a plasmid comprising SEQ ID NO: 4, for further prosecution.

IN THE CLAIMS

Please amend Claim 4 as follows:

B¹
--4. (Amended) A plasmid isolatable from *Corynebacterium thermoaminogenes*, which comprises a gene coding for a Rep protein having the amino acid sequence shown in SEQ ID. NO: 4 or an amino acid sequence having homology of 99% or more to the amino acid sequence shown in SEQ ID NO: 4, and has a size of about 4.4 kb, or a derivative thereof.--